

Melissa Lynn Hanson
82299 200th Street
Hayward, Minnesota
Sui Juris

***In the District Court for Freeborn County
Third Judicial District***

State of Minnesota,

Plaintiff,

v.

MELISSA LYNN HANSON,

Defendant.

Court File No. 24-CR-21-137/188

**General and Specific Objections
and Exceptions**

To

**Prosecutorial Proffer of
Exhibits for introduction**

As

Evidence

(Verified)

I, Melissa Lynn Hanson, *sui juris*, a woman and one of the People and in this court of record¹ by this document generally object and take exception to the exhibits² proposed for use as evidence by the prosecutor Kelly Dawn Martinez as engaging in the unlawful practice of law as a public officer acting without an executed oath of office and further generally object to the extent that the exhibits proposed as evidence are irrelevant without first establishing a proffer of evidence and applicable law that I was a "person" upon whom a duty was imposed under the emergency management

¹ A **court of record** has four essential elements, two of which are that the judicial tribunal has attributes and exercises functions independently of the person of the magistrate designated generally to hold it and that **it proceeds according to the course of common law**. Black's Law Dictionary, 4th Ed., 425, 426.

² As filed on December 1, 2021 as STATE'S NOTICE OF MOTIONS AND MOTIONS IN LIMINE

laws codified under Minn. Stat., Chapter 12 and upon whom a penalty may be imposed under Minn. Stat. § 12.45. In support, I state:

1. Kelly Dawn Martinez, acting as a public officer in the prosecution of these cases in the name of the Plaintiff as a constitutional misnomer, has not executed the oath of public office required by Minn. Stat. 358.05 before exercising the function of the office of city attorney. Without any authority exempting her from the requirement of the executed oath, Kelly Dawn Martinez engaged in the unlawful practice of law in the exercise of the public office of city attorney in the commencement and prosecution of these cases rendering all prosecutorial acts void *ab initio*.

I object and take exception to the entirety of the exhibits proffered as evidence generally on the following grounds:

2. Upon information and reasonable belief, not one exhibit proffered establishes proof that I violated any law enacted by the legislature by which a city attorney is authorized to prosecute under authority of Minn. Stat. § 484.87, Subd. 3.

3. Upon information and reasonable belief, not one exhibit proffered establishes proof that I am a "person" under any legal duty imposed by law under Minn. Stat., Chapter 12 for which a penalty may be imposed under Minn. Stat. § 12.45 in light of the controlling authority of Minnesota Court of Appeals³ setting forth the application of Minn. Stat. § 12.45 (1996) as "providing misdemeanor penalties for officials who violate duties imposed by emergency management laws".
4. I specifically object to entry of exhibit #9 – Minnesota Department of Health (MDH) December 16, 2021 Cease and Desist Order without proof that MDH had the statutory authority that extends beyond the enforcement of statutes and the implementing regulations thereunder to the enforcement of executive orders.
5. I specifically object to entry of exhibit #10 Alcohol and Gambling Enforcement (AGED) December 19, 2020 notice of agency action 60-day liquor License without proof that AGED had the statutory authority that extends beyond the enforcement of statutes and the implementing regulations thereunder to the enforcement of executive orders.

³ *Manteuffel v. City of North St. Paul*, 570 NW 2d 807, 812 (Minn. App. 1997).

6. I specifically object to entry of exhibit #11 Alcohol and Gambling Enforcement (AGED) December 31, 2020 notice of agency action five-year liquor license suspension without proof that AGED had the statutory authority that extends beyond the enforcement of statutes and the implementing regulations thereunder to the enforcement of executive orders.

Without an offer of "evidence" and application of law that I am a "person" as the predicate element of a charge under § 12.45 upon whom a penalty may be imposed under Minn. Stat. 12.45, the use of any exhibit to prove violation of executive orders is irrelevant.

Dated on this 2nd day of December, 2021:



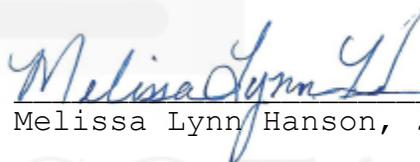
Melissa Lynn Hanson

MINNESOTA
JUDICIAL
BRANCH

VERIFICATION

I declare under penalty of perjury under the laws of Minnesota that I have read the foregoing document and to the best of my knowledge and belief the factual statements and declarations made therein are true and correct and made in good faith and will testify to the same in open court upon any dispute of fact established by sworn testimony of any person having personal knowledge of the facts if called to do so; excepting as to those matters therein stated upon information and belief and as to those matters, I verily believe the same to be true.

Executed on this 2nd day of December, 2021:


Melissa Lynn Hanson, *sui juris*

MINNESOTA
JUDICIAL
BRANCH

CERTIFICATE OF SERVICE BY ELECTRONIC FILING SYSTEM

I, Melissa Lynn Hanson, certify that on this 2nd day of December, 2021 I concurrently served a true and complete copy of the foregoing document by the electronic filing system of the court and upon reasonable belief, the Plaintiff has been served by the same as a registered user and as a party to the case.



Melissa Lynn Hanson

MINNESOTA
JUDICIAL
BRANCH